REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action dated 8/6/2008. Claims 1-28 are pending. Claims 1-28 are rejected. Claims 1, 5, 9, 15, 19, and 23 have been amended. No claims have been added or cancelled. Accordingly, claims 1-28 remain pending in the present application.

Claim amendments

Claims 1, 5, 9, 15, 19, and 23 have been amended to recite that the first and the second identifiers are provided from the search server to the streaming data item server that contains the streaming data item, the first identifier and the second identifier are used by the streaming data item server to establish the connection with the client, wherein the connection does not run through the search server. The amendments to the claims are specifically supported by the Specification at p. 23, line 28 – p. 24, line 8.

Rejection under 35 USC 103(a)

Claims 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, and 27 are rejected under 35 USC 103(a) as being unpatentable over Levy (5,995,961) in view of Tene (6,928,463). Applicant respectfully disagrees as to the claims as amended.

The present application is a divisional of U.S. patent application 09/429,839

Per claim 1, the search server has access to a database system. The search server receives a specification of the streaming data item from the client, uses the specification in a query to obtain a first identifier that identifies the streaming data item. The search server then provides the first identifier and a second identifier that identifies the client to the streaming data item server. The streaming data item server then uses the first and second identifiers to establish the connection between the streaming data item server and the client, where the connection does not run through the search server.

Since the connection does not run through the search server, any delivery of the streaming data item from the streaming data item server to the client also does not run through the search server. The search server thus assists in the delivery of the streaming data item by providing the first and second identifiers to the streaming data item server, but does not participate in the actual delivery. The search server essentially "steps aside" and avoids the necessity of running the streaming data connection through the database system (see Specification from p. 23, line 4 through p. 24, line 8).

Levy discloses an execution engine which executes a plan for combining answers to a user query from different information sources. Levy discloses an execution engine 115 that executes a query plan generated by the plan generator 114. The query plan defines how information from various information sources can be combined in a way that guarantees semantically correct answers. (col. 10, lines 44-67) As illustrated in Fig. 1 of Levy, the execution engine 115 gathers the answers from different information sources 140 over the Internet 130. The execution engine 115 then combines the answers according to the query plan and provides them to the user via the user interface 101. (See also col. 10, lines 54 – 67.)

Levy thus discloses a system in which the connection between the user (client) and the information source (streaming data item server) goes through the execution engine (search server). This is in contrast to the invention as recited in amended independent claim 1, where the first identifier and the second identifier are used by the streaming data item server to establish the connection with the client, wherein the connection does not run through the search server. Since the execution engine executes the query plan, it cannot "step aside" in the same manner as a search server through which the connection is not run through.

For this reason, Levy does not teach or suggest the invention as recited in amended independent claim 1. Claim 1 is thus allowable over Levy.

Amended independent claims 5, 9, 15, 19, and 23 also recite a connection between the streaming data item server and the client, wherein the connection does not run through the search server. These claims are thus also allowable over Levy for at least the same reasons as claim 1.

Applicant submits that dependent claims 3, 7, 13, 21, and 27 are allowable because they depend upon these allowable base claims.

Rejection under 35 USC 103(a)

Claims 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, and 28 are rejected under 35 USC 103(a) as being unpatentable over Levy in view of Official Notice.

Applicant submits that claims 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, and 28 are patentable when read in combination with their respective independent claims 1, 5, 9, 15, 19, and 23. Applicant submits that these claims are allowable for at least the same

reasons as claims 1, 5, 9, 15, 19, and 23, set forth above.

Examiner's Response to Arguments

Applicant appreciates the Examiner's comments. Applicant submits that with the amendment of the claims, the Examiner's comments are now moot.

Conclusion

Accordingly, claims 1-28 are patentable over the cited references. Applicant respectfully requests reconsideration and passage to issue of claims 1-28 as now presented.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Please charge any additional fees required for the amendment or refund any overpayments to deposit account number 501315.

Respectfully submitted,

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